

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

VIDEO GAMING TECHNOLOGIES,  
INC.,

Plaintiff,

vs.

CASTLE HILL STUDIOS LLC, *et al.*

Defendants.

CASE NO. 17-CV-00454-GKF-JFJ

**DECLARATION OF ROBERT C. GILL IN SUPPORT OF  
DEFENDANTS' MOTION IN LIMINE TO EXCLUDE  
EVIDENCE OF ALLEGED "ACTUAL CONFUSION"**

1. I am an attorney at Saul, Ewing, Arnstein & Lehr LLP, counsel for Defendants Castle Hill Studios LLC, Castle Hill Holdings LLC, and Ironworks Development LLC (together "Castle Hill"). I was admitted *pro hac vice* in this matter on October 27, 2017.

2. Attached as **Exhibit 1** is a true and correct copy of excerpts of Plaintiff's Sixth Supplemental Objections and Responses to Defendant Castle Hill Studio LLC's First Set of Interrogatories.

3. Attached as **Exhibit 2** is a true and correct copy of the 7th Cir. Civ. Jury Instr. 13.1.2.3 (2017).

4. I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 12, 2018 in Washington, District of Columbia.

*/s/ Robert C. Gill*

Robert C. Gill

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of October, 2018, I caused a copy of the foregoing Declaration to be served on the following counsel via the Court's ECF system:

Graydon Dean Luthey, Jr., OBA 5568  
GABLE GOTWALS  
1100 ONEOK Plaza  
100 West Fifth Street  
Tulsa, OK 74103-4217  
(918) 595-4821  
(918) 595-4990 facsimile  
dluthey@gablelaw.com  
*Counsel for Video Gaming Technologies*

Gary M. Rubman  
Peter Swanson  
Michael Sawyer  
Rebecca B. Dalton  
COVINGTON & BURLING LLP  
One City Center  
850 Tenth Street, NW  
Washington, D.C. 20001-4956  
(202) 662-6000  
(202) 778-5465 facsimile  
grubman@cov.com  
pswanson@cov.com  
msawyer@cov.com  
rdalton@cov.com  
*Counsel for Video Gaming Technologies*

Neil K. Roman  
COVINGTON & BURLING LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405  
(212) 841-1221  
(212) 841-1010 facsimile  
nroman@cov.com  
*Counsel for Video Gaming Technologies*

/s/ Robert C. Gill  
Robert C. Gill